REPORT SUMMARY

OWNER, APPLICANT or AGENT SHOULD ATTEND THE CONSIDERATION OF THIS APPLICATION

Date of Consideration: **September 10, 2015** **TIME: 9:50 a.m.**

File Number: **B65/15**

Applicant: **Peter Peloso**

Subject Lands: TOWNSHIP OF CENTRE WELLINGTON (Pilkington) – Part Lot 5, Conc 2, EOGR

Proposal is a request for consent to convey fee simple for a proposed lot line adjustment 18.4 acres with 617' frontage in the TOWNSHIP OF CENTRE WELLINGTON (Pilkington) – Part Lot 5, Conc 2, EOGR, vacant land to be added to abutting parcel for residential use – Barbara & Peter Peloso; retained lands are 8.7 acres.

ISSUES:

SUMMARY of FILED REPORTS and COMMENTS:

Township of Centre Wellington – staff opinion only – in support of lot line adjustment to provide access to currently land locked parcel; conforms to zoning; conditions to apply

County Planning notice signs were posted at time of site visit; application consistent with Provincial policy and generally conforms to Official Plan policies provided each lot has viable building envelope outside of natural heritage features; no MDS 1 issues; conditions to merge

Conservation Authority (GRCA) – no objections to lot line adjustment provided County and municipality are satisfied proposed building envelopes shown on sketch are sufficient to support residential development

Others – James E. Kearns (7386 Sideroad 4 R. R. #2 Ariss, ON N0B 1B0) **– request notification of consideration and decision;**

PROPOSED CONDITIONS of APPROVAL

1) THAT the Owner's solicitor, in preparation for the issuance of the Certificate of Consent, provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee a printed copy of the "completed electronic transfer document in preparation".
2) THAT the solicitor for the Owner give and undertaking in writing to provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee within 30 days of the date of registration in the Land Registry/Land titles Office for Wellington (No. 61) a copy of the receipted and registered electronic Transfer **including the Form 4 Certificate** and **Application for Consolidation of Parcels document for the consented parcel and the abutting lands to which the consented parcel is to be added** for Consent B65/15.
3) THAT the Owner, as provided for under Section 69 of the Planning Act, R.S.O. 1990, shall pay to the Treasurer of the County of Wellington the administrative fee which is in effect at the time of the payment of the fee for the review and issuance of the Certificate of Consent for the severed parcel.
4) THAT the transfer for registration with respect to description complies with Ontario Regulation 43-96; and if that description contains a reference to a Reference Plan(s), the Owner's solicitor **shall provide a full print of that deposited reference plan(s)** to the secretary-treasurer of the Planning and Land Division Committee.
5) THAT the Purchaser take title of the severed lands in the same manner as he holds his abutting lands; and **THAT** Section 50, subsection (3) of the Ontario Planning Act, R.S.O. 1990 as amended shall apply to any subsequent conveyance or any transaction involving the parcel of land that is the subject of this consent.
6) THAT the conveyancing documents for the severed parcel contain a statement to ensure that Section 50, subsection (3) of the Planning Act, R. S. O. 1990, as amended shall apply to any subsequent conveyance or transaction with respect to the land described herein; and a statement that the consented parcel and the abutting lands to which this consented parcel is to be added shall be dealt with contemporaneously in any future conveyances or transactions unless further consent is granted under the Planning Act or other lawful order.
7) THAT the Owner receive approval from the applicable road authority in a manner deemed acceptable to that road authority for an entrance to the severed and retained parcel; and further that the applicable authority file a letter of clearance of this condition with the Secretary-Treasurer of the Planning and Land Division Committee as written proof of fulfillment of this condition.
8) THAT the Owner satisfy all the requirements of the Township of Centre Wellington, financial and otherwise (included but not limited to Taxes paid in full; copy of Deposited Reference Plan; undertaking to advise Twp when deed is Registered) which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the Township of Centre Wellington file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

*****Conditions may be deleted, added to, or changed at meeting*****

County of Wellington Planning and Land Division Committee
Deborah Turchet, Secretary-Treasurer
Wellington County Administration Centre
74 Woolwich Street, Guelph, ON N1H 3T9

August 27, 2015

NOTICE OF CONSIDERATION IN PUBLIC FORUM

Pursuant to SECTION 53 of the ONTARIO PLANNING ACT and applicable Regulations

with respect to Application for consent,

File B65/15

APPLICANT

Peter Peloso
74 Water St.
Elora ON N0B 1S0

LOCATION OF SUBJECT LANDS:

CENTRE WELLINGTON (Pilkington)
Part Lot 5, Concession 2
East of the Grand River

Proposed lot line adjustment is 18.4 acres with 617' frontage (Parcel 2 on sketch), vacant land to be added to abutting parcel for residential use – Barbara & Peter Peloso. (Parcel 3 on sketch)

Retained parcel is 395' fr x 964' = 8.7 acres (Parcel 1 on sketch), vacant land for residential use.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, September 10, 2015**

AT 9:50 a.m. for the purpose of considering this matter.

CONSIDERATION WILL BE HELD IN THE: 3A (Keith Room)
County of Wellington Administration Centre
74 Woolwich Street
Guelph, Ontario N1H 3T9

NOTICE is being sent to you for your information. **THE OWNER, APPLICANT OR AUTHORIZED AGENT, OR AUTHORIZED SOLICITOR SHOULD ATTEND THIS CONSIDERATION**. Any person may be represented by counsel who has been duly authorized for that purpose.

Even if the owner/applicant does not attend, the Committee will consider the application as scheduled, and the applicant, except as otherwise provided in the Planning Act, will not be entitled to any further notice in the Proceedings.

Please also be advised that if a person or public body that filed an appeal of a decision of the County of Wellington Planning and Land Division Committee in respect of the proposed consent has not made written submission to the County of Wellington Planning and Land Division Committee before it gives or refuses to give a provisional consent, then the Ontario Municipal Board may dismiss the appeal.

A Copy of the **DECISION** of the Committee will be sent **to the applicant, and to each person or agency who filed with the Secretary-Treasurer a written request for Notice of Decision.**

Additional Information regarding the application is available to the public during regular business hours, Monday to Friday at the County of Wellington Planning and Land Division Office - 74 Woolwich St. Guelph ON N1H 3T9

Phone - (519) 837-2600 x2170 Fax – (519) 837-3875

To view comments for this application on our website www.wellington.ca follow these steps:

- ⇨ **Government**
- ⇨ **Council and Standing Committees**
- ⇨ **Land Division Committee**
- ⇨ **choose month & year in drop down menus**
- ⇨ **Choose Land Division Committee in the drop down menu**
- ⇨ **open appropriate agenda**

TO: **Agent – Derek Graham**
Other: James E. Kearns (7386 Sideroad 4 R. R. #2 Ariss, ON N0B 1B0)

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JUL 14 2015

MUNICIPALITY COMMENTING FORM

The Planning and Land Division Committee, in considering the following application, respectfully requests input from the municipality. The Application and Sketch are enclosed for your information.

FILE NO: B65/15

APPLICANT

Peter Peloso
74 Water St.
Elora ON N0B 1S0

LOCATION OF SUBJECT LANDS
7365 / 7369 SIDEROAD 4, PILKINGTON
CENTRE WELLINGTON (Pilkington)
Part Lot 5, Concession 2
East of the Grand River

Proposed lot line adjustment is 18.4 acres with 617' frontage (Parcel 2 on sketch), vacant land to be added to abutting parcel for residential use – Barbara & Peter Peloso. (Parcel 3 on sketch)

Retained parcel is 395' fr x 964' = 8.7 acres (Parcel 1 on sketch), vacant land for residential use.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 2326.000.017.03207

Does this description reasonably describe the parcel holdings? YES(✓) NO( )

If answer is no, please provide new information: _____

Do you consider this proposal to conform to your Official Plan? YES( ) NO( ) County of Wellington OP applies

What Section(s) does it conform to or contravene? (Please specify)

_____

_____

Will the Severed Parcel comply with all requirements of the Zoning By-law? YES [✓] NO [ ]

(Please Specify) "A" - Agricultural and "EP - Environmental Protection"

Will the Retained Parcel comply with all requirements of the Zoning By-law? YES [✓] NO [ ]

(Please Specify) "A - Agricultural" and "EP - Environmental Protection"

If Necessary, would the Municipality be prepared to consider an **Amendment** to the Zoning By-Law to permit the proposal to conform? YES( ) NO( ) N/A(✓) or **Minor Variance** YES( ) NO( ) N/A(✓)

Is proposal on an opened maintained year-round public road YES(✓) NO( )
If answer is NO, is municipality willing to enter into an agreement regarding use of the seasonal road, or opening up the road ?

Please specify Sideroad 4.

_____

Is the Proposed Lot(s) serviced now by Municipal Water YES( ) NO(✓)

Is the Retained Lot serviced now by Municipal Water YES( ) NO(✓)

Is the Proposed Lot(s) serviced now by Municipal Sewers YES( ) NO(✓)

Is the Retained Lot serviced now by Municipal Sewers YES( ) NO(✓)

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SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Is there a **Capital Works Project** underway to service these lots in the near future YES( ) NO(✓)

Approximate Time of Servicing Availability: _____

Are there any other servicing arrangements, Municipal easements or Municipal Drains on the subject lands?

N/A

Continued to Page 2

MUNICIPALITY COMMENTING FORM

FILE NO: B65/15

Is the Municipality's Building Official satisfied that there is a sufficient site on the severed parcel for individual well and septic services?
YES [✓] NO [ ]

To be confirmed at building permit stage

Is there any further information that may assist the Planning and Land Division Committee?
[A letter may be attached if there is insufficient space to explain]

Lot line adjustment will provide access to currently land locked parcel.

Is the Municipality in support of this application? **YES(✓) NO( )** Planning staff opinion only.

What Conditions, if any, are requested by the Municipality if the Consent is granted?

See attached sheet of conditions.

Does the Municipality request a Notice of the Decision? YES(✓) NO( )

SIGNATURE _____

TITLE: Planner

ADDRESS: 1 MacDonald Square, Elora, ON N0B1S0

DATE: July 30/15

FILE NO: B 65/15 – Peter Peloso
7365 & 7369 Sideroad 4, Pilkington

Conditions requested if the Consent is granted:

- ☐ That land be dedicated or other requirements met for park or other public recreational purposes.
- ☑ Satisfy all the requirements of the local municipality, financial and otherwise
- ☑ Driveway entrance approval
- ☑ Taxes Paid in Full
- ☐ Service Connections to be confirmed
- ☐ Official Plan Amendment
- ☐ Zoning Compliance
- ☐ Development Agreement and/or Site Plan Agreement (Lot Grading and Drainage)
- ☑ Copy of deposited Reference Plan
- ☑ Undertaking to advise Township when deed is Registered
- ☐ Tax Assessment Roll Setup Fee

Additional Notes:

LDC-conditions

Planning and Development Department | County of Wellington
County Administration Centre | 74 Woolwich Street | Guelph ON N1H 3T9
T 519.837.2600 | F 519.823.1694

Application	B65/15
Location	Part Lot 5, Concession 2 East of the Grand River TOWNSHIP OF CENTRE WELLINGTON (Pilkington)
Applicant/Owner	Peter Peloso

PLANNING OPINION: This proposed lot line adjustment would sever a 7.4 ha (18.4 ac) vacant parcel to be added to a land locked parcel for rural residential use in a Prime Agricultural area. A 3.5 ha (8.7 ac) vacant parcel would be retained for rural residential use.

This application is consistent with Provincial policy and would generally conform to the Official Plan policies, provided that each lot has a viable building envelope outside of the natural heritage features on the property and their associated buffers, together with required setbacks under the Township's Zoning By-law. We would have no other concerns, provided that the following matters are addressed as conditions of approval:

a) That the purchaser take title to the severed lands in the same manner as they hold their abutting land; and,
b) That Subsection 50(3) of the Planning Act, R.S.O., 1990 be applied to any subsequent conveyance or any transaction involving the parcel of land that is the subject of this Consent.

PLACES TO GROW: No issues.

PROVINCIAL POLICY STATEMENT (PPS): Lot adjustments in prime agricultural areas may be permitted for legal or technical reasons, which include minor boundary adjustments which do not result in the creation of a new lot.

Under Section 2.1.6 development and site alteration shall not be permitted in or adjacent to natural heritage features and areas such as significant wetlands unless the ecological function has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

According to Section 2.5.2.5 of the PPS "In areas adjacent to or in known deposits of mineral aggregate resources, development and activities which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:

a) resource use would not be feasible; or
b) the proposed land use or development serves a greater long-term public interest; and
c) issues of public health, public safety and environmental impact are addressed."

We have no concerns related to Minimum Distance Separation I (MDSI) as none of the perimeter lot boundaries would be brought closer to existing livestock facilities than they already are.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated PRIME AGRICULTURAL and CORE GREENLANDS. The property is also within the Mineral Aggregate Area Overlay. The Core Greenlands designation protects Provincially Significant Wetlands, flood plain and slope valley features.

Section 10.3.5 of the Official Plan provides for lot line adjustments in Prime Agricultural areas for "legal or technical reasons, such as easements, corrections of deeds, quit claims, and minor boundary adjustments."

The matters under Section 10.1.3 were also considered, including h) "that natural resources such as agricultural lands and mineral aggregates would not be affected adversely".

With respect to mineral aggregates, as there are several existing residential uses in the immediate area and there are no zoned or licenced pits in the immediate area, we feel that the impacts to the mineral aggregate area associated with the proposed development would not be significant.

LOCAL OFFICIAL PLAN: Not applicable to rural area.

LOCAL ZONING BY-LAW: The subject property is zoned Agricultural (A), Environmental Protection (EP) and Environmental Protection Overlay (EP Overlay).

SITE VISIT INFORMATION: The subject property was visited and photographed on July 23, 2015. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Sarah Wilhelm, MCIP, RPP, Senior Planner
August 21, 2015

400 Clyde Road, P.O. Box 729 Cambridge, ON N1R 5W6

Phone: 519.621.2761 **Toll free:** 866.900.4722 **Fax:** 519.621.4844 **Online:** www.grandriver.ca

PLAN REVIEW REPORT TO:	County of Wellington, Planning & Land Division Committee Deborah Turchet, Secretary-Treasurer

DATE: August 17, 2015 **YOUR FILE:** B65/15
GRCA FILE: CentWell/2015/Sev/nc

RE: **Application for Consent B65/15**
Part Lot 5, Concession 2, EoGR, Pilkington
Township of Centre Wellington
Peloso

GRCA COMMENT:*

The Grand River Conservation Authority (GRCA) has no objection to the above-noted lot line adjustment provided the County and municipality are satisfied the proposed building envelopes shown in the circulated information are sufficient to support residential development that may be considered for the lots.

BACKGROUND:

1. **Resource Issues:**

   Information currently available at this office indicates that the subject lands contain the flood plain of Swan Creek.

2. **Legislative/Policy Requirements and Implications:**

   No new development should be considered in the flood plain to conform with the County and GRCA policies. The applicant has provided a sketch showing building envelopes outside the flood plain. The GRCA would defer to the municipality to determine if the building envelopes are adequate.

   Permission from the GRCA will be required under Ontario Regulation 150/06 prior to any development on the property within the regulated area.

3. **Additional Information/Suggestions provided in an advisory capacity:**

   We wish to acknowledge receipt of the applicable plan review fee associated with this application.

Should you have any questions or require further information, please contact the undersigned at 519-621-2763 ext. 2320.

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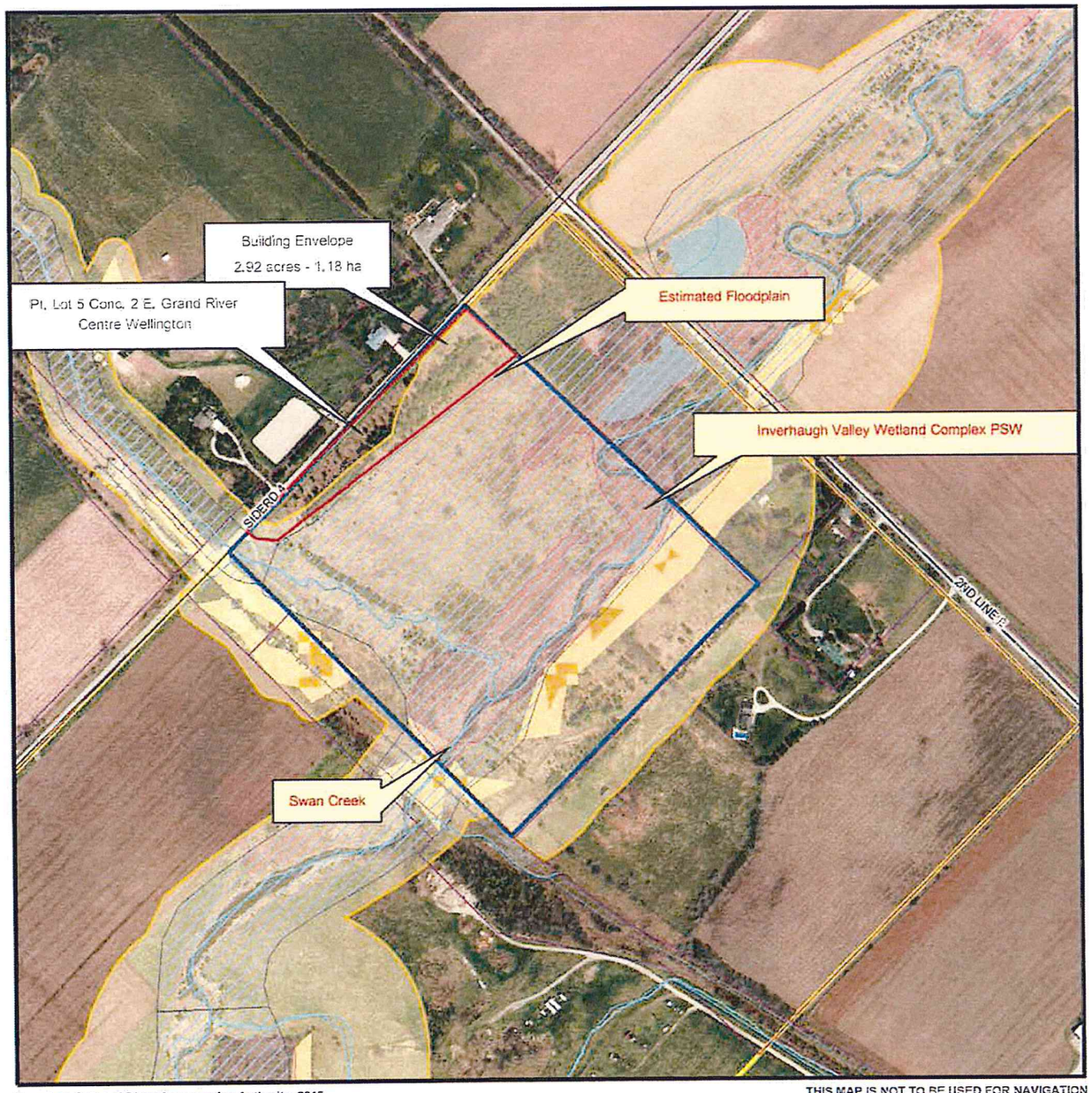
AUG 18 2015
SECRETARY-TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Yours truly,

Jason Wagler, MCIP RPP
Resource Planner
Grand River Conservation Authority
JW/al

* ***These comments are respectfully submitted to the Committee and reflect the resource concerns within the scope and mandate of the Grand River Conservation Authority.***

Encl. (1)
c.c. Township of Centre Wellington
Derek Graham Ltd.



Grand River Conservation Authority
Map created: August 17, 2015

B65/15

LEGEND

WATERSHED BOUNDARY (GRCA)
UTILITY LINE (NRVIS)
ROADS-ADDRESSED (MNR)
RAILWAY (NRVIS)
WATERCOURSE - DRAFT (GRCA)
DRAINAGE-NETWORK (GRCA)
PARCELS-PIN (Teranet)
LOTS (NRVIS)
FLOODPLAIN (GRCA)
ENGINEERED
APPROXIMATE
ESTIMATED
WETLAND (GRCA)
SLOPE VALLEY (GRCA)
STEEP
OVERSTEEP
SLOPE EROSION (GRCA)
STEEP
OVERSTEEP
TOE
WETLAND (NRVIS)
PROVINCIALLY SIGNIFICANT
LOCALLY SIGNIFICANT
UNEVALUATED
REGULATION LIMIT 2014 (GRCA)
WATERBODY - DRAFT (GRCA)
DRAINAGE-POLY (NRVIS)
2010 ORTHO (ONT)

GRCA Disclaimer

This map is for illustrative purposes only. Information contained hereon is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.

The source for each data layer is shown in parentheses in the map legend. For a complete listing of sources and citations go to:

http://grims.grandriver.ca/docs/SourcesCitations1.htm

0 57 114 171 228 m.

NAD 1983, UTM Zone 17 Scale 1:5,000 N

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

James E. Kearns
7386 Sideroad 4
RR2 Ariss, Ontario
N0B 1B0
519-846-5905 / jim.kearns@bell.net

July 22, 2015

County of Wellington
Planning and Land Division Office
74 Woolwich Street
Guelph, ON
N1H 3T9

RE:- Notice of an Application for Consent
FILE NO. B65/15

Please be advised that I am a neighbouring landowner to the lands that are the subject of the above-referenced application. As such, I was circulated on your Notice of an Application for Consent dated July 10, 2015.

Please consider this letter my notice to you that I now hereby request the following:

1. Notification of the Consideration of this matter;
2. Notification of the Decision in this matter; and
3. Any and all such further notices and the like concerning this matter that your office generates and that are applicable to be communicated to neighbouring landowners.

Kindly contact me at (519) 846-5905 should you require further information or clarification regarding this request.

Yours very truly,

James E. Kearns

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JUL 24 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE